

Applicant : Kenneth L. Davis  
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Attorney's Docket No.: 15786-007001 / P034-130070

### REMARKS

Claims 1-22 are pending in this application. Claims 1-3, 5-13 and 15-22 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by U.S. Patent No. 5,526,478 ("Russell"). Claims 4 and 14 are rejected under § 103(a) as being unpatentable over Russell. Claims 1, 11 and 21 have been amended. The applicant respectfully traverses the rejections and requests reconsideration in view of the amendments and following remarks.

#### **I. Interview Summary**

The applicant thanks the Examiner for agreeing to an examiner interview which was conducted by telephone on September 9, 2004, with the applicant's representative, Brenda Leeds Binder of Fish & Richardson PC. The prior art reference, Russell, was discussed along with the language of claim 1. No agreement was reached.

#### **II. § 102 Rejections**

The Examiner rejected claims 1-3, 5-13 and 15-22 under 35 U.S.C. § 102(b) as being anticipated by Russell.

##### Claims 1-10

Claim 1 recites a method including the steps of: detecting a cursor in a proximity of a geometry piece of a computer aided design, the cursor separate from and movable relative to the computer aided design, and in response to detecting the cursor in the proximity of the geometry piece, determining whether multimedia is associated with the geometry piece of the computer aided design. The method further includes the step of, in response to a positive determination that multimedia is associated with the geometry piece, automatically generating an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia.

The Examiner asserted that the pointer 41 disclosed in Russell (FIG. 4A) is the cursor described in the first limitation of claim 1. The applicant respectfully disagrees. The pointer 41 is created by a control device (e.g., a mouse) causing a cursor to be positioned at a point on a model. The control device generates a signal to generate the pointer where the cursor is located and "sets" the pointer (this seems to describe a user clicking on a mouse to set the pointer). Once

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the pointer is set, *the pointer is attached to the model*. When the model moves or rotates, *the pointer moves or rotates along with the model*. "In other words, when a pointer is set, it is part of the model displayed" (Col. 8, lines 42-44, see also lines 27-41).

The pointer 41 of Russell is clearly different than the cursor described in claim 1. First, the cursor in claim 1 is separate from the computer aided design. By contrast, the pointer 41 of Russell becomes part of the model displayed. Second, the cursor in claim 1 is movable relative to the computer aided design, which is consistent with the limitation that includes detecting the cursor in a proximity of a geometry piece of the computer aided design. By contrast, the pointer 41 of Russell is not movable relative to the model, and in fact clearly moves or rotates along with the model. Accordingly, Russell fails to disclose the first limitation of claim 1, "detecting a cursor in a proximity of a geometry piece of a computer aided design, the cursor separate from and movable relative to the computer aided design".

The second limitation of claim 1 requires that "in response to detecting the cursor in the proximity of the geometry piece, determining whether multimedia is associated with the geometry piece of the computer aided design." The Examiner asserted that "Russell discloses determining whether multimedia is associated with the geometry piece of the computer aided design, wherein there is a determination process involving determining if a multimedia link exists with a distinct geometry of a computer aided design to which a cursor is pointing." The applicant respectfully disagrees. Russell does not determine whether multimedia is associated with a geometry in response to detecting a cursor in the proximity of the geometry piece.

First, in Russell, the multimedia function is linked to the pointer, and not a geometry piece - which pointer the Examiner has already asserted is the same as the cursor recited in claim 1. This highlights another reason why the cursor of claim 1 is not the same as Russell's pointer 41 (*i.e.*, because there is no multimedia functions linked to the applicant's cursor, but rather multimedia is associated with a geometry piece that is in a proximity to a cursor). Second, the determination step in Russell is in response to activating the pointer 41 by attaching a marker 42. At Russell, column 8, the process of activating a pointer is described as follows: "One embodiment of attaching marker 42 to pointer 41 so as to activate pointer 41 is to use control device 27 to place cursor 29 to the end of pointer 41. The user activates one of the signal

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generation devices on control device 27. This causes pointer 41 to be attached with marker 42" (col. 8, lines 53-58); the process of attaching a marker to a pointer is user-driven. Once the pointer 41 is activated by attaching the marker 42, "all 'immediate' multimedia functions linked to the selected pointer are executed" (Col. 12, lines 6-7). Accordingly, the second limitation of claim 1 is not satisfied by Russell.

Claim 1 further recites in response to a positive determination that multimedia is associated with the geometry piece, automatically generating an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia. The Examiner asserts that the "icon" recited in claim 1 is satisfied by the marker 42 disclosed in Russell. The marker 42 in Russell is not automatically generated in response to a positive determination that multimedia is associated with a geometry piece. As discussed above, the marker 42 is attached to a pointer 41 to activate the pointer 41, which can occur whether or not there is multimedia functions linked to the pointer 41 (which again is different from claim 1 which recites multimedia associated with a geometry piece, rather than linked to a pointer 41, which the Examiner asserts is the same as the applicant's cursor). Thus, in Russell, generating the marker 42 is independent of any determination of whether or not there is multimedia associated with a geometry piece. Accordingly, the third limitation of claim 1 is also not satisfied by Russell.

Therefore, for at least the above reasons, claim 1 is allowable over Russell. Claims 2-10 depend from claim 1 and are therefore allowable for at least the same reasons.

Claim 2 is independently allowable for at least the following additional reason. Claim 2 recites the method of claim 1, wherein "automatically generating the icon comprises automatically generating a leader line entity from the geometry piece." For example, as shown in the applicant's FIG. 3, leader line can be line 315 and the icon can be notepad 320. The Examiner asserts that the limitation of claim 2 is disclosed by Russell, and refers to Russell's reference number 42 in FIG. 4A. Reference number 42 is the marker discussed above, which the Examiner has already asserted is the icon recited in claim 1. The Examiner has also asserted that the pointer 41 is the cursor recited in claim 1. Accordingly, since there is no element shown in

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Russell between the pointer 41 and the marker 42, there is no leader line entity from a geometry piece to an icon, as required by claim 2, which is therefore in condition for allowance.

#### Claims 11-20

Claim 11 recites an article comprising a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine, operate to detect a cursor in a proximity of a geometry piece of a computer aided design and in response to detecting the cursor in the proximity of the geometry piece, determine whether multimedia is associated with the geometry piece of the computer aided design. The cursor separate from and movable relative to the computer aided design. In response to a positive determination that multimedia is associated with the geometry piece, icon is automatically generated that is associated with the geometry piece of the computer aided design for accessing the associated multimedia.

For at least the reasons discussed above in reference to claim 1, Russell fails to disclose detecting a cursor in a proximity of a geometry and, in response to detecting the cursor, determining whether multimedia is associated with the geometry piece. Russell further fails to disclose automatically generating an icon for accessing the associated multimedia in response to a positive determination that multimedia is associated with the geometry piece. Accordingly, claim 11 is allowable over Russell. Claims 12-20 depend from claim 11 and are therefore also in condition for allowance.

#### Claims 21-22

Claim 21 recites an apparatus including a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine, operate to detect a cursor in a proximity of a geometry piece of a computer aided design and in response to detecting the cursor in the proximity of the geometry piece, determine whether multimedia is associated with the geometry piece of the computer aided design. The cursor separate from and movable relative to the computer aided design. In response to a positive determination that multimedia is associated with the geometry piece, icon is automatically generated that is associated with the geometry piece of the computer aided design for accessing the associated multimedia. The apparatus further includes a processor coupled to the machine accessible medium to execute the instructions.

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For at least the reasons discussed above in reference to claim 1, Russell fails to disclose detecting a cursor in a proximity of a geometry and, in response to detecting the cursor, determining whether multimedia is associated with the geometry piece. Russell further fails to disclose automatically generating an icon for accessing the associated multimedia in response to a positive determination that multimedia is associated with the geometry piece. Accordingly, claim 21 is allowable over Russell. Claim 22 depends from claim 11 and is therefore also in condition for allowance.

Brenda Leeds Binder has been given limited recognition under 37 CFR § 10.9(b) as an employee of the Fish & Richardson PC law firm to prepare and prosecute patent applications wherein the patent applicant is a client of Fish & Richardson PC and the attorney or agent of record in the applications is a registered practitioner who is a member of Fish & Richardson, which is the case in the present application. A copy of the Limited Recognition document, which expires December 1, 2004, is attached hereto.

A \$110.00 Petition for Extension of Time fee can be charged to deposit account 06-1050. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: Sep 15, 2004

  
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